

REMARKS

This application has been carefully reviewed in light of the Office Action dated January 6, 2009. Claims 1, 3 and 4 are currently in the application, with claims 1 and 4 being the independent claims. Reconsideration and further examination are respectfully requested.

Initially, Applicants thank the Examiner for the indication that claim 3 contains allowable subject matter and would be allowable if rewritten in independent form. Applicants have not rewritten this claim in independent form at this time since all claims in the application are believed to be in condition for allowance, as discussed in more detail below.

Claims 1 and 4 are rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement. In particular, the Office Action has contended that the method and meaning of “counting a frequency,” as used in claims 1 and 4, are unclear. Without conceding the correctness of this rejection and in an effort to expedite the allowance of the claims, Applicants have amended claims 1 and 4 to remove the term “frequency” and to recite that the “number of times” the concentration is calculated to be equal to or less than 0% is counted and used to discriminate whether the liquid in the storage tank is water. The terminology “number of times” is seen to be synonymous with the term “frequency” and therefore no new subject matter is believed to have been added to the application by way of this amendment. Reconsideration and withdrawal of the § 112, first paragraph, rejection of claims 1 and 4 are respectfully requested.

Claim 1 is rejected under 35 U.S.C. § 112, second paragraph, for having insufficient antecedent basis for the term “the liquid reducing agent” recited in the last portion of the claim. Applicants respectfully traverse the rejection. A liquid reducing agent is clearly introduced in the first element of claim 1. Accordingly, sufficient antecedent basis for the term in the last

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portion of the claim is believed to be present. Reconsideration and withdrawal of the § 112, second paragraph, rejection of claim 1 are respectfully requested.

In view of the foregoing amendment and remarks, the entire application is believed to be in condition for allowance and such action is respectfully requested at the Examiner's earliest convenience.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 502203 and please credit any excess fees to such deposit account.

Respectfully submitted,

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